RECLAMATION

Managing Water in the West

Cedarville Rancheria Drought Assistance Project

Cedarville, California

Finding of No Significant Impact

FONSI 10-29-MP

Recommended by:	Br Miller	Date:	7/29/2010
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Finding of No Significant Impact

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Mid-Pacific Regional Office of the Bureau of Reclamation (Reclamation) finds that providing funds to the Cedarville Rancheria under the provisions of American Recovery and Reinvestment Act (ARRA) (Public Law [P.L.] 111-5) to drill and develop one production well and electrical power, is not a major federal action that will significantly affect the quality of the human environment and an environmental impact statement is not required. This Finding of No Significant Impact (FONSI) is supported by Reclamation's Final Environmental Assessment (EA), Cedarville Rancheria Drought Assistance Project, and is hereby incorporated by reference.

Background

Under the *State's Emergency Drought Relief Act of 1991* as amended (P.L. 109-234]), Reclamation is distributing \$40 million from ARRA to fund emergency drought relief projects. In February 2009, while the State of California was in the third consecutive year of a drought, Governor Arnold Schwarzenegger declared a drought emergency.

The Cedarville Rancheria is a federally recognized Indian Tribe. The Rancheria is located in Modoc County, California. The Proposed Action is for Reclamation to provide ARRA funds to the Rancheria for the purposes of establishing a well on Tribal land that would be used to supplement the existing residential water service and provide water for future development of a greenhouse.

Finding of No Significant Impact Determination

Based on the analysis of the *Cedarville Rancheria Drought Assistance Project EA*, the Proposed Action will not have a significant effect on the human environment and an environmental impact statement will not be prepared. This finding is based upon the *context* and *intensity* of the project's impacts as described below:

Context:

The Proposed Action is to:

Provide ARRA funds to the Cedarville Rancheria for the purposes of drilling a production well and providing electrical power to the well site. The new well would be used to supplement the existing residential water service and provide water for future development of a greenhouse.

Intensity:

The Council on Environmental Quality uses ten considerations in evaluating *intensity* (40 CFR 1508.27(b)):

(1) Impacts that may be both beneficial and adverse.

No adverse impacts have been identified. There would be minor impacts to water resources, wildlife and vegetation. Most impacts would be short-term during construction of the well and electrical power. Best management practices would be implemented to reduce potential for erosion. Construction would take place prior to the winter rainy season. The Proposed Action would not disproportionately affect minority or low-income communities. The Proposed Action could temporarily increase employment during construction, and would ensure a water supply to maintain livestock operations and the economic benefits provided the Rancheria.

(2) The degree to which the proposed action affects public health and safety.

The Proposed Action would have no impact on public health and safety. During construction, there could be a negligible increase in risk to worker safety during use of heavy equipment during installation of the well and electrical power. Precautions would be taken to reduce risk to employees. A safety zone around the construction areas would be maintained to avoid risk of injury to the public during construction.

(3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There are no parks, wild and scenic rivers, and ecologically critical areas designated in the project area. The new well site and electrical power would temporarily impact annual grassland/pasture. Disturbed areas (with the exception of the well site) would be returned to their original condition upon completing the project. There would be a permanent loss of .02 acre of annual grassland/pasture.

(4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

There are no known sensitive or controversial issues associated with the Proposed Action. The Rancheria has been involved in the preparation of this EA.

(5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

There are no uncertain or unique or unknown risks associated with the Proposed Action.

(6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The Proposed Action does not set a precedent for future actions with significant effects or represent a decision without future consideration. Any future projects on Tribal lands would be analyzed on their own merits and implemented, or not, independent of the acceptance of this EA.

(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

Past, present, and reasonably foreseeable future actions have been considered in the *Cumulative Effects* section of the EA for each resource which could be impacted by the Proposed Action. No other actions have been identified that would result in cumulative impacts related to the Proposed Action.

The Rancheria currently receives all water for drinking and irrigation from the Cedarville Water District. Implementation of the Proposed Action would result in a negligible increase in the amount of draft of groundwater. The cumulative effects analysis has determined that the project would not contribute significantly to cumulative effects.

(8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss of destruction of significant scientific, cultural, or historical resources

The Proposed Action is the type of activity that has the potential to affect historic properties on the Rancheria. Reclamation determined that no historic properties will be affected by project implementation; therefore, no cultural resources would be impacted as a result of implementing the Proposed Action. Reclamation consulted with the State Historic Preservation Officer (SHPO), as well as with the Cedarville Rancheria on the same basis as the SHPO since this project is located on Tribal lands, regarding this determination. Concurrence from the SHPO and Cedarville Rancheria is pending. The project will not be implemented until the Section 106 compliance process has been completed.

(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

The Proposed Action area is not located within designated critical habitat. Based on known observations, habitat suitability, and a records review of the California Natural Diversity Database and Fish and Wildlife Service website, no candidate, threatened or endangered species has been identified within the project area. There would be no effect to special-status species as a result of implementation of the Proposed Action.

(10) Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.

The Proposed Action does not violate any federal, State, or local law or requirement imposed for the protection of the environment.